

JUN 16 2009

PAGE 1/3: RCVD AT 6/16/2009 10:07:05 AM [Eastern Daylight Time] : SVR:USPTO-EF-XRF-5/33 : DNIS:27383300 : CSID:12083458370 : DURATION (mm:ss):01:50

EXAMINATION OF APPLICATIONS

713.01

PTOL-413A (07-07)
Approved for use through 09/30/2007. OMB 0551-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/782,712 First Named Applicant: CLIFTON COOK
Examiner: L. VANTELPOOL Art Unit: 3782 Status of Application:

Tentative Participants:

(1) ROBERT SHAVER (2) MIKE LOWE
(3) JIM CORNWALL (4) LESTER VANTELPOOL MDT

Proposed Date of Interview: JUNE 23, 2009 Proposed Time: 09:00 (AM/PM)
11:00 EDT

Type of Interview Requested:

(1) ☒ Telephone (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO
If yes, provide brief description:

Issues To Be Discussed

Issues (Ref., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>YEWER</u>	<u>CLM 1</u>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>ROVERS</u>	<u>20+23</u>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>GUARD</u>	<u>12+22</u>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented: IS THERE SOME COMMON
THREAD IN THE REJECTIONS - SEE ATTACHED
SHEET

An interview was conducted on the above-identified application on JUNE 23, 2009 @ 09:30
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview
(see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this
interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b))
as soon as possible.

Robert L. Shaver
Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Robert L. Shaver
Typed/Printed Name of Applicant or Representative

42145
Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to the (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 111 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to
complete, including gathering, preparing, and submitting the completed application form to the USPTO. These will vary depending upon the individual case. Any
comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,
U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS
TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

700-229

Rev. 6, Sept. 2007

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713.01

MANUAL OF PATENT EXAMINING PROCEDURE

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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Application No.: 10/782,712
First Named Applicant: Clifton Cook
Examiner: Lester Vanterpool
Art Unit: 3782

Addendum to Applicant Initiated Interview Request Form

The question we wish to present is: Are the rejections related to language that describes orientation?

For example;

1. With respect to claim 1, the 'pliable outer covering' (18) of Yewer is simply a belt loop as disclosed at C 3, LL 6-18. The 'semi-rigid frame member (14) parallel to the longitudinal axis' is described as "cinching strap" or "strap" at C 3, LL 43-44 and LL 55-57; C 4, L 28. These narrow strips seem much different than the pliable outer covering and semi rigid frame disclosed and claimed in the referenced application.
2. Regarding claims 20 or 23 the vertically disposed plates (32) of Rogers and not part of the belt but are attached to the mating parts on the belt and not analogous to the 'vertically disposed plates connected to a duty belt' of claim 23 in the present application.
3. Claims 12 and 22 are both rejected as unpatentable over Guilbord in view of Taragos. The 'elongated semi rigid members' (66) of Guilbord are fastened at intervals with bolts or rivets (61) to form free regions (68) that allow mounting hooks. C 3, LL 35 - 58. Our examination of figures 1 and 2 indicates that the free regions and therefore the straps are located along the longitudinal or horizontal axis of the belt. As this assessment disagrees with the examiners representation that Guilbord discloses vertically disposed plates we would like to gain a better understanding of this rejection

There does not seem to be any structural bar to allowance. Are we missing something in the claim language?

FOR TELEPHONE INTERVIEW 6.23.2009
AT 09:30 M.O.T. — 11:30 E.O.T. — WE
(DYKAS, SHAVER & NIPPER) WILL INITIATE
THE CALL.